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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

DOCKET NO.: DM-6999A / BMS-0690

RAJOPADHYE, ET AL.

APPLICATION NO.: 09/599,890

GROUP ART UNIT: 1624

5 FILED: JUNE 21, 2000

EXAMINER: BALASUBRAMANIAN

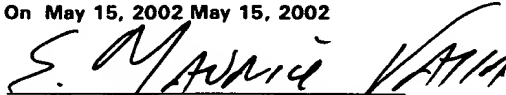
FOR: VITRONECTIN RECEPTOR ANTAGONIST PHARMACEUTICALS

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I, S. Maurice Valla, Registration No. 43,966, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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On May 15, 2002 May 15, 2002


S. Maurice Valla, Registration No. 43,966

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RESPONSE TO RESTRICTION REQUIREMENT MAILED APRIL 4, 2001

Assistant Commissioner for Patents

25 Washington, D.C. 20231

Sir:

In an Office Action mailed April 4, 2001, the Examiner required restriction to one invention under 35 U.S.C. § 121.

30 It is Applicants' understanding that none of the amendments previously submitted in this application have been entered. Accordingly, Applicants believe that Claims 1 to 75, as originally filed in the application, are pending.

35 In response to the restriction requirement, Applicants hereby elect the invention of Group V, identified by the Examiner as drawn to multiple compositions, classified in class 514, subclass 2212, class 514 subclasses various, depending upon the involved embodiment or chelator group, diagnostic or therapeutic or radiopharmaceutical or X-ray contrast agent. The claims that make up Group V, as set forth in the Office Action dated April 4, 2001, are Claims 11 to 30, 47 to 49, 56, 57, and 65 to 67.

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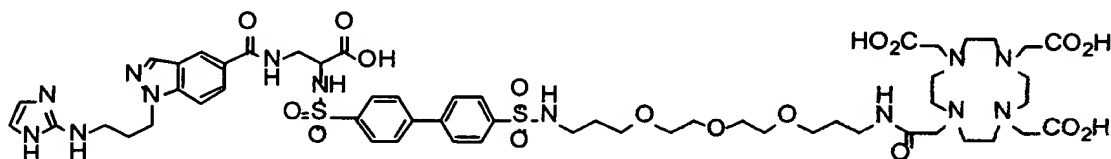
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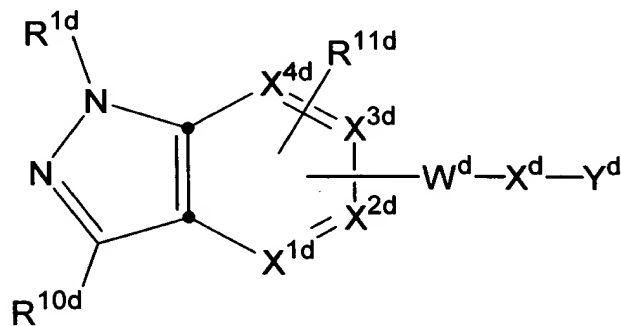
The Office Action dated April 4, 2001 also required the Applicants to elect a single species encompassed by generic claims within the elected group. It is Applicants' understanding that this election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of Applicants' claims. It is also Applicants' understanding that if the elected subject matter is found to be allowable over the prior art, the search and examination will be expanded to cover other species, until it includes the full scope of the generic claims.

Applicants hereby elect the species named:

- 3-((1-(3-(Imidazole-2-ylamino)propyl)(1H-indazol-5-yl))carbonylamino)-2-(((4-(4-(((3-(2-(2-(3-(2-(1,4,7,10-tetraaza-4,7,10-tris(carboxymethyl)cyclododecyl)-acetylaminopropoxy)ethoxy)ethoxy)propyl)amino)sulfonyl)-phenyl)phenyl)sulfonyl)amino)propanoic acid; as described in Example 4, on page 142, and having the formula:

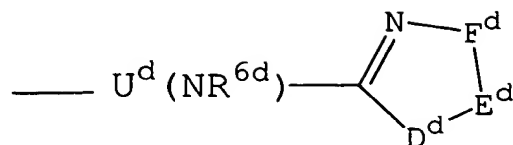


- Targeting Moiety: As the targeting moiety, Applicants hereby elect an indazole of formula:



wherein:

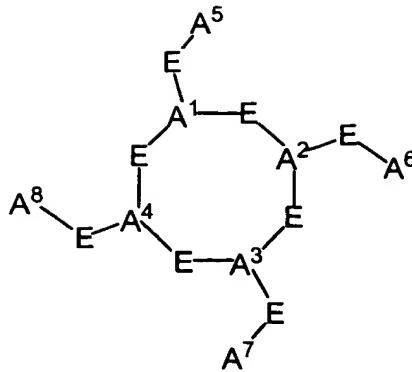
R^{1d} is



wherein:

- D^d is NR^{2d} and R^{2d} is H;
- E^d-F^d is $CR^{4d}=CR^{5d}$ and R^{4d} and R^{5d} are H;
- 5 U^d is $(CH_2)_n$ and n^d is 3;
- R^{6d} is H;
- R^{10d} is H;
- $X^{1d}, X^{2d}, X^{3d}, X^{4d}$ are C;
- R^{11d} is H;
- 10 W^d is $C(=O)N(R^{13d})-(C(R^{12d})_2)q^d$;
- R^{13d} is H;
- q^d is 0;
- X^d is $CR^{12d}R^{14d}-CR^{12d}R^{15d}-$;
- R^{12d} is H;
- 15 R^{14d} is H;
- R^{15d} is R^{16d} ;
- R^{16d} is $N(R^{20d})SO_2R^{17d}$;
- R^{20d} is H;
- R^{17d} is a bond to Ln ;
- 20 Y^d is COR^{19d} and R^{19d} is OH; and
- d is 1.

- Method of Treatment: Applicants hereby elect a method of treating cancer.
- Chelator: Applicants elect a chelator C_h given by the formula:



wherein:

$A^1, A^2, A^3,$ and A^4 are $NR^{13}R^{14}$ wherein R^{13} and R^{14} are each an electron;
 E (between A^1 and A^2 , A^2 and A^3 , A^3 and A^4 , and A^4 and A^1) is CH_2CH_2 ;
 5 $A^5, A^6,$ and A^7 are OH ;
 A^8 is $NR^{13}R^{14}$ wherein R^{13} is H and R^{14} is a bond to L_n ; and
 E (between A^1 and A^5 , A^2 and A^6 , A^3 and A^7 , and A^4 and A^8) is $CH_2C(=O)$.

CONCLUSION

10 Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. An early and favorable consideration of the present application is respectfully requested.

Please send all correspondence concerning this application to:

15 Respectfully submitted,

20 S. Maurice Valla
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Date: May 15, 2002

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